



Commissioner Fricks presented the Proclamation to Purchasing employees Nancy Lam, Judy Bales, Rhonda Bollen, and Everett Gray, and thanked them for the job they do.

(Proclamation/Resolution Book, Page 42)

**ENTER INTO MINUTES JOINT CITY/COUNTY  
PROCLAMATION COMMENDING  
BUDDY CHILDERS:**

Chairman Hufstetler stated the Proclamation was presented to Mr. Childers at an earlier function.

(Proclamation/Resolution Book, Page 43)

**FIRST READINGS (PUBLIC HEARINGS  
TO BE HELD MARCH 22, 2005 AT 6:00 PM):**

**FILE #10-2005Z, REQUESTS REZONING FROM  
H-C (HEAVY COMMERCIAL) TO A-R  
(AGRICULTURE RESIDENTIAL) FOR EXISTING  
SINGLE-FAMILY RESIDENTIAL USE ON PROPERTY  
LOCATED ON ROCKMART HIGHWAY, STATE ROUTE  
101 SOUTH. ZONING MAP #K18-PART OF 006.  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVE [VOTE: 10 – 0]):**

**FILE #11-2005Z, REQUESTS REZONING FROM  
D-R (DUPLEX RESIDENTIAL) TO C-C  
(COMMUNITY COMMERCIAL) WITH SPECIAL  
USE PERMIT TO CONSTRUCT AND OPERATE  
MINI-WAREHOUSES ON PROPERTY LOCATED  
ON DRAGON DRIVE, LINDALE. ZONING MAP  
#J16Y-290A. (PLANNING COMMISSION**

**RECOMMENDATION: DENY [VOTE: 7-2 (1 ABSTAINED]):**

**FILE #12-2005Z, REQUESTS REZONING FROM  
S-R (SUBURBAN RESIDENTIAL) TO D-R  
(DUPLEX RESIDENTIAL) TO DEVELOP NEW  
STREETS AND CONSTRUCT DUPLEX  
RESIDENTIAL DWELLINGS ON PROPERTY  
LOCATED AT 394 WOODS ROAD. ZONING  
MAP #G13X-020. (PLANNING COMMISSION  
RECOMMENDATION: APPROVE [VOTE: 8 - 2]):**

**CHAIRMAN'S REPORT:**

**APPOINT COMMITTEE TO INTERVIEW  
POTENTIAL CANDIDATES FOR FINANCE  
DIRECTOR'S POSITION:**

Chairman Hufstetler stated a sub-committee had been determined in Caucus to interview potential candidates for the Finance Director. The Committee will be Commissioner Fricks as Administrative/Finance Chairman and Commissioner Bennett.

**COMMISSIONER'S REPORT:**

1. **Administrative/Finance Committee – Commissioner Fricks, Committee Chairman –**  
No report.
2. **Public Safety Committee –Commissioner Mayes, Committee Chairman –** No report.
3. **Public Works Committee – Commissioner Bennett, Committee Chairman-** No report.
4. **Water Committee- Commissioner Jennings, Committee Chairman-**

Commissioner Jennings stated the Commission was proceeding with the plan for a 5% rate increase for the Water Department to be effective April 1, 2005.

5. **Special Committee Reports.**

- A. New Health Department Facility (Jennings/Bennett) – No report.
- B. Existing Prison Use (Hufstetler/Mayes) – No report.
- C. Consolidation Task Force (Fricks/Hufstetler) –
  - a. Discuss Hiring Consultant to Perform School Study.

County Manager Poe stated there was a proposed contract to hire Consultants S. John Davis & Associates Limited to perform a school study to determine the feasibility and possible advantages and disadvantages of a merger between the Rome City and Floyd County Public School Systems. County Manager Poe recommended that the Board approve the contract pending review by the County Attorney. Mr. Poe stated there were a couple of minor changes to be made, but the main thing will be to make reference to the original proposal that was submitted which broke down the fees by phases, allowing the Commission to terminate the study at the end of any phase. County Manager Poe stated this needed to be spelled out more specifically in the contract and this proposal will be attached as an exhibit to the contract that details this. Commissioner Fricks asked if the Commission was going to proceed with the full contract or just an

initial phase. County Manager Poe stated that right now the Commission is authorizing proceeding with Phase I.

Commissioner Jennings made a MOTION to approve Phase I of this contract for the School Consolidation Study subject to review by the County Attorney. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

- D. SPLOST Projects – No report.
- E. Parking Committee (Fricks/Bennett) –No report.

**CLERK’S REPORT:**

**CONSENT AGENDA:**

County Clerk Kathy Arp stated there were three items on the Consent Agenda that have been reviewed and are submitted for approval. Commissioner Fricks made a MOTION to approve the Consent Agenda as submitted. SECOND by Commissioner Bennett. VOTING:

	YES	NO
Commissioner Fricks		
" Mayes		
" Jennings		
" Bennett		
Chairman Hufstetler		

Motion Carried

1. Tax Refunds

- a. Chapel Hill United Methodist, 1818 Kingston Road SE, \$140.86
- b. Coosa Steel Corporation, P.O. Box 5624, \$920.30
- c. David Thomas, 148 Quail Run Road, Cedartown, \$191.24
- d. Leigh Ann Vargo, 300 E. 6<sup>th</sup> Avenue, \$239.22
- e. Mary S. Holcomb, 26 Huntington Road, \$60.43

2. Malt Beverage Applications:

- A. Jay Khodiyar, Inc. /Vinod R. Patel, dba Rock Store, Inc. (Ownership Change – Replace License #17)
- B. A. L. & D., LLC dba Piggy Wiggly (Ownership Change – Replace License #54)

**MANAGER’S REPORT:**

- 1. **DISCUSS BUILDING INSPECTION AGREEMENT (DEFERRED FROM FEBRUARY 22, 2005 MEETING):**

Deferred.

**2. DISCUSS LANDFILL AGREEMENT  
(DEFERRED FROM FEBRUARY 22, 2005 MEETING):**

Deferred.

**3. DISCUSS BIDS RECEIVED FOR IMPROVEMENTS  
AT THE FORUM:**

A. Dressing Rooms

B. Storage

Deferred.

**4. DISCUSS REQUEST FROM SHARON BAKER  
TO WAIVE FEES FOR USE OF THE FORUM  
FOR A REGIONAL HEALTH FAIR IN  
CONJUNCTION WITH THE SPRING TRAINING  
HEALTH INITIATIVE:**

County Manager Poe stated that Sharon Baker with the Women's Information Network has requested a waiver of the fees to use The Forum for the Regional Health Fair to be held April 23, 2005. Mr. Poe stated the recommendation was for the County to agree to waive the fees as long as Floyd County was listed as a sponsor for the event. Commissioner Jennings asked if it was correct to say if fees are waived, or can he say that as a sponsor of the event that Floyd County is providing the facility.

Commissioner Jennings made a MOTION to approve Floyd County to be listed as a sponsor of the event in lieu of charging a fee for use of The Forum. SECOND by Commissioner Mayes. VOTING:

YES	NO
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Commissioner Fricks	
" Mayes	
" Jennings	
" Bennett	
Chairman Hufstetler	

Motion Carried

**5. DISCUSS APPOINTMENT OF NEW**

## **EMA DIRECTOR:**

County Manager Poe stated he had interviewed candidates for this position and recommended the Board approve Scotty Hancock as the new Emergency Management Director at an annual salary of \$46,750. Mr. Poe stated that Mr. Hancock had also agreed to continue to maintain the responsibility of overseeing the Animal Control Division even though he will be located downtown in the Law Enforcement Center. County Manager Poe stated he would like to request that since there will not be an on site Animal Control Director that the Board consider hiring a shelter manager at a lesser salary, which would result in a cost savings to the County since they would not have to replace the Animal Control Director's position. Mr. Poe stated the County would hire a shelter manager to be responsible for the day-to-day activities of the shelter, preferably someone who is a correctional officer, so they can handle the inmates. Mr. Poe stated the County could obtain this position at an entry-level salary of no more than \$30,000 since they were paying the Animal Control Director a little over \$38,000. Mr. Poe stated if the Board approved this recommendation, he would allow Scotty Hancock to be both the Emergency Management Director and also have responsibilities for Animal Control. Commissioner Bennett made a MOTION to approve the County Manager's recommendation. SECOND by Commissioner Jennings.

**Discussion:** County Manager Poe stated he wanted to give a little more information as to why he selected Scotty Hancock for this position. He stated that Mr. Hancock has a background in public safety, he has worked in Corrections, as well as in the Sheriff's Department, and now in Animal Control. Mr. Poe stated that Mr. Hancock has had a lot of contact with people in the public safety field and is a good communicator. Mr. Poe stated that Mr. Hancock was a Training Officer for the Sheriff's Department and does have training experience, and also has experience in writing operations manuals and standard operating procedures, which is basically the main criteria the County was looking for. Mr. Poe stated that Mr. Hancock would be required to obtain certification as an Emergency Management Director within two years and GEMA will have to confirm his appointment as the Emergency Management Director.

Commissioner Jennings stated that his tardiness in seconding the motion has nothing to do with the qualifications of Mr. Hancock, but he wanted to be sure that Mr. Hancock can devote as much time as possible to this important position. Commissioner Jennings stated he thought Mr. Hancock has done a great job with Animal Control and that this operation is now running smoothly. Commissioner Jennings stated that as far as the amount of time that would be required of Mr. Hancock to oversee this, that there are enough procedures in place that it's not going to require him to be out there full time. County Manager Poe stated the County had some good momentum going and there are still areas for improvement at Animal Control. Mr. Poe stated the situation had been discussed without adding any more people and expands the ability to help keep the shelter open and have extended work hours within the department. Mr. Poe stated he thought Mr. Hancock could manage

his time where he could perform both duties. Commissioner Jennings stated that Mr. Hancock should closely watch this in the beginning and make sure that he can devote as much time to Emergency Management as needed. Commissioner Fricks stated that both departments should be monitored closely and if doesn't work out, go back to the original structure. County Manager Poe stated he would have to come back to the Board with an amended contract, and if the Board does approve his recommendation, they will also have to approve the amended Employment Contract at the next Board Meeting. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**6. APPROVE CONTRACT WITH H&M  
CONSTRUCTION FOR HEALTH  
DEPARTMENT PROJECT (2003 SPLOST):**

County Manager Poe stated the main thing the contract sets is the GMP (Guaranteed Maximum Price). Mr. Poe stated that overall the County is within budget and may be coming in under the GMP. He stated the County had entered into this contract with an understanding as to how the project was going to run and that it just took a while to get all the documents put together. Commissioner Bennett made a MOTION to approve the County Manager's recommendation. SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

(Contract on file in Clerk's office)

**7. AUTHORIZE EXECUTION OF CERTIFICATE  
OF OWNERSHIP AND MAINTENANCE  
AGREEMENT WITH DEPARTMENT OF  
TRANSPORTATION FOR LARP (PROJECT #  
LAR05-S007-00(901)-18.56 MILES):**

County Manager Poe stated this item included 18.56 miles of roadway and included eight different roads with a value of \$375,000. Chairman Hufstetler asked how this compared and it seemed like it used to be about 30 miles. Mr. Poe stated that last year

there was a similar amount of miles and the County went back with a supplemental contract for about five or six extra miles, so they ended up getting twenty-three or twenty-four miles. County Manager Poe recommended authorizing the Chairman and Clerk to execute this Agreement, and also recommended that the Chairman and Clerk be authorized to execute any other documents that come in that are associated with this project. Commissioner Mayes made a MOTION to approve the County Manager's recommendation. SECOND by Commissioner Bennett. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**8. ADOPT RESOLUTION TO AMEND FEE SCHEDULE TO REFLECT A \$5 INCREASE IN FEES FOR SELF-SERVICE FUEL PERMITS, PRECIOUS METALS PERMITS, IMPOUNDING AND BOARDING ANIMALS, AND FALSE ALARM PENALTIES:**

County Manager Poe stated this item was to amend the Fee Schedule Book to reflect an increase the different Permits and Fees. Mr. Poe stated for Alarm Systems the first penalty fee would be increased from \$25 to \$30, Impoundment Fees by \$5 per offense, Boarding Animals increased by \$5, and all other permits (Precious Metals and Self-Service Fuel Permits) increased by \$5. Commissioner Bennett made a MOTION to adopt the Resolution to amend the Fee Schedule. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**9. REQUEST TRANSFER OF \$10,000 FROM CONTINGENCY TO INDIGENT DEFENSE: 4/5 VOTE REQUIRED**

County Manager Poe stated he had two other things real briefly he would like to get on the Agenda if possible. One is when we first set up the budget for Superior Court and he knew this was a sore issue for everybody, but we knew within the Superior Court budget they are still going to have some attorney fees to be

paid for out of the Indigent Defense line item. Mr. Poe stated they started off with a budget of \$30,000, and they have already spent all of that \$30,000. Mr. Poe stated, hopefully this should be phasing out, and he doesn't think it will be \$30,000 that we will be necessarily doubling or tripling at least he hoped not. Mr. Poe requested the Commission transfer \$10,000 out of the Contingency Fund and General Services to add to the Indigent Defense line item in Superior Court to cover attorney fees.

Commissioner Fricks stated we budgeted thirty and we are going to need forty, have we projected out or is that going to take care of it. County Manager Poe stated they won't give him a dollar amount the only thing he talked to *Phil Hart* about is he threw some of numbers out there, and he said he would rather do \$10,000 and then see where we want to go from there and if they use up the next \$10,000, we will get another \$10,000. Chairman Hufstetler asked if they are working on an hourly rate, and stated they could have contracted with somebody for a whole year with what we are going spend. The contracts were for about \$37,000. Mr. Poe stated we got off the contract, that's not an approved system. Chairman Hufstetler stated it was approved for that time period and that's what they did, he thought it would be a continuation. Mr. Poe stated the \$30,000 was an estimate. Commissioner Fricks made a MOTION to add the item to the Agenda. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Commissioner Jennings made a MOTION to approve the budget change for \$10,000 into the Indigent Defense Fund. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

## 10. SHERIFF'S REQUEST TO UPGRADE

**POSITIONS:  
4/5 VOTE REQUIRED**

County Manager Poe stated he had been talking with the Sheriff about this, and apparently during the budget process there was a breakdown in communication. Mr. Poe stated the Sheriff had asked for some positions to be upgraded, and one position was upgraded to a Major and another position to a Captain. Mr. Poe stated the Sheriff's initial request was for an additional Lieutenant to be upgraded to Captain, to be the Courthouse Supervisor, and what was approved in the budget was only an upgrade of one Lieutenant to Captain. Mr. Poe stated the Sheriff is requesting that this oversight be corrected and that he be allowed to upgrade this one position, and that the correct pay be retroactive to the date that changes were made on the other two positions.

Commissioner Mayes made a MOTION to add this item to the Agenda.  
SECOND by Commissioner Bennett. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Commissioner Bennett made a MOTION to approve the County  
Manager's recommendation. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**ATTORNEY'S REPORT:**

**CREATION OF COURTHOUSE SUPERVISOR'S  
ASSISTANT POSITION:  
4/5 VOTE REQUIRED**

Attorney Manning proposed that the Commission add to the Agenda, the creation of a new Courthouse Supervisor's Assistant position and an agreement with Mr. Roy Powell

regarding his present and past employment. Commissioner Jennings made a MOTION to add this item to the Agenda. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Attorney Manning proposed that the Board pass a motion creating the position of Courthouse Supervisor's Assistant under the authority of the Sheriff, and that the Commission appropriate funds for that position, as established by the Sheriff and County Manager. The new position would work under the Sheriff and directly under the Sheriff's Courthouse Supervisor. Attorney Manning stated he would further propose that in connection with Mr. Powell's past employment issues, the County appropriate \$45,000 to be paid to Mr. Powell, and also that the County create this full-time position as of March 18, 2005 and finally that the Chairman authorize him to execute an Agreement to that effect. Commissioner Mayes made a MOTION to approve the Attorney's recommendation. SECOND by Commissioner Jennings.

**Discussion:** Commissioner Fricks stated that since the Commission is creating this position, and putting it under another department, do they shift the budget away from the department that currently has that position. County Manager Poe stated the amount is budgeted in Superior Court and they did not know the number of days in a year the bailiffs would actually work, so they estimate an amount. Commissioner Fricks stated the Commission was creating a position that they were going to have to start funding, so it should take an equal amount of salary from the Superior Court. County Manager Poe stated if there was a murder trial this year, there was a good chance there would be more bailiff days than estimated.

County Attorney Manning stated the Commission would have to appropriate this with an hourly rate different from what is being done now and with benefits. Commissioner Fricks stated this is taking the workload off one group, but is not shifting the dollars. VOTING:

YES NO

Commissioner Fricks  
" Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**OTHER BUSINESS:**

Commissioner Fricks stated he had spoken with County Manager Poe regarding the General Electric Landfill C operation and possibly contacting Richard Lester for another tour. Commissioner Fricks stated there has been a significant change since they were there last and since the landfill is in operation, he thought it might be good for the Board to visit to see what needs to be addressed in some other areas. County Manager Poe stated that Richard Lester is following up on the request made in the quarterly meeting to come up with a development plan for the property.

**ADJOURN:**

There being no further business to come before the Board, Commissioner Mayes made a MOTION to adjourn the meeting. SECOND by Commissioner Fricks.

VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**CHUCK HUFSTETLER, CHAIRMAN**